



Policy: 1162
Procedure: 1162.03
Chapter: Inspections and Investigations
Rule: Child Abuse Investigation Protocol

Effective: 7/21/08
Replaces: 1160.04
Dated: 11/28/06

Purpose:

Arizona Department of Juvenile Corrections (ADJC) Inspections and Investigations Division (IID) has established a protocol for responding to and investigating an incident of physical and sexual abuse involving an ADJC juvenile in accordance with ARS §13-3620. This protocol shall determine whether a crime has been committed and whether to bring to light those facts and circumstances necessary to hold the perpetrator(s) accountable for their criminal activity to the County Attorney's Office.

Rules:

1. In addition to statutory requirements and case law the **ADJC CRIMINAL INVESTIGATIONS UNIT OF THE INSPECTIONS AND INVESTIGATIONS DIVISION (IID)** shall be concerned with the following during an investigation:
 - a. **ADJC CRIMINAL INVESTIGATIONS** shall:
 - i. Be cognizant of the needs of the victim;
 - ii. Be cognizant of the responsibilities of other organizations involved in the treatment, support, and recovery of the victim;
 - iii. Coordinate efforts with Child Protective Services (CPS) when needed; and
 - iv. Coordinate efforts with the prosecuting agency during an investigation.
 - b. The **INVESTIGATIONS COMMANDER** shall determine whether a criminal investigative response will be initiated.
2. **Sexual Abuse/Child Abuse Investigations outside of ADJC's jurisdiction.**
 - a. **ADJC CRIMINAL SPECIAL INVESTIGATORS** shall:
 - i. Establish and maintain a close working relationship with CPS and the Pima and Maricopa County Attorney's Office;
 - ii. Document their actions and coordinate with the appropriate jurisdiction;
 - iii. Obtain sufficient information about the allegation to identify the agency that has jurisdiction without conducting a formal interview; and
 - iv. Cross report to local law enforcement jurisdiction and/or to CPS.
3. **Sexual Abuse Investigations within the ADJC jurisdiction.**
 - a. **ADJC CRIMINAL SPECIAL INVESTIGATORS** shall:
 - i. When necessary interview the reporting source to determine the circumstances of disclosure;
 - ii. Arrange for an interview of the victim;
 - iii. When necessary interview the victim;
 - (1) The interview shall be recorded and may take place at Central Office IID Interview Room or at an Advocacy Center;
 - (2) The interview will be conducted by a trained Investigator.
 - iv. Eliminate unnecessary or multiple interviews of the child victim;
 - v. Arrange for a medical examination by a qualified medical professional, if necessary;
 - vi. Conduct crime scene(s) investigation and process the evidence;
 - vii. Interview witnesses;
 - viii. Obtain a copy of the medical examination report;
 - ix. Interview medical personnel; and
 - x. Conduct investigative research on:
 - (1) Prior convictions of the suspect;
 - (2) Prior police reports involving the suspect, victim(s), or witness(es);
 - (3) Prior unreported allegations involving the suspect, victim(s) or witness(es); and current and prior CPS reports.
 - b. **ADJC CRIMINAL SPECIAL INVESTIGATOR'S INTERVIEW** shall include:
 - i. Determination of the need to arrest the suspect based on:

- (1) The risk of flight to avoid prosecution; and
 - (2) The danger to the community.
 - ii. Any other necessary investigations being conducted.
 - c. **ADJC CRIMINAL SPECIAL INVESTIGATOR'S CASE PRESENTATION** shall be processed in a timely manner and include:
 - i. A complete copy of the ADJC investigations report;
 - ii. Copies and/or transcripts of the audiotapes;
 - iii. Video-recordings;
 - iv. Documentation of any physical injury to the victim with digital or 35 mm photographs;
 - v. Photographs:
 - (1) That depict the victim's entire body and face, not just the external manifestations of abuse;
 - (a) With the exception of a licensed medical practitioner, photographs of private parts shall be taken by a person of the same gender.
 - (2) That include a ruler and color bar where possible;
 - vi. Additional follow-up photographs which were taken;
 - vii. Medical records of the victim that pertain to the allegation;
 - viii. Relevant CPS files on the victim and family; and
 - ix. Prior relevant police reports and any other information obtained during the investigation.
4. **Child Physical Abuse and/or Neglect Investigations.**
- a. **ADJC CRIMINAL SPECIAL INVESTIGATORS** shall establish the following:
 - i. Physical abuse;
 - ii. Neglect; and
 - iii. Jurisdiction.
 - b. The **ADJC CRIMINAL SPECIAL INVESTIGATOR** shall:
 - i. Following determination that a crime has been committed:
 - (1) Assess the need for scene preservation and/or evidence collection;
 - (2) Assess the need for a medical exam;
 - (3) Obtain a search warrant or consent form, if necessary, when the victim or suspect gives information regarding a weapon, instrument, or mechanism of the injury;
 - (4) Document any physical injury to the victim with digital or 35 mm photographs;
 - (a) Photographs should depict the victim's entire body and face, not just the external manifestations of abuse.
 - (i) With the exception of licensed medical practitioner, photographs of private parts shall be taken by a person of the same gender.
 - (b) Photographs should include a ruler and color bar where possible;
 - (c) Additional follow-up photographs shall be taken as needed.
 - (5) Obtain any relevant medical records on the victim;
 - (6) Interview appropriate medical personnel;
 - (7) Assess the risk of flight to avoid prosecution; and
 - (8) Determine if the suspect should be arrested in light of all the information obtained.
5. The **ADJC CRIMINAL SPECIAL INVESTIGATOR** shall notify the On-Call Deputy County Attorney for physical abuse cases and all cases where the victim is admitted to a hospital or dies as a result of suspected child abuse.
- a. The **INVESTIGATOR** may obtain an initial statement from the qualified physician regarding:
 - i. Time frames;
 - ii. Mechanisms of injury;
 - iii. Symptoms the victim would be expected to show, given the injury sustained;
 - iv. Interviews conducted with suspects and witnesses, including specialized physicians (e.g., neurosurgeons, pediatric radiologists, etc.).
6. **CASE FILE** shall include the following:
- a. A complete copy of the Police report;
 - b. Copy and/or transcripts of the audiotapes;
 - c. Video recording;

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- d. Photographs;
 - e. Medical records of the child;
 - f. Child Protective Services files on the victim and family;
 - g. Prior relevant Police reports and any other information obtained during the investigation;
 - h. A copy of relevant information from the CPS investigation, including the CPS case file; and
 - i. Relevant information concerning the victim.
7. **Case Presentation.** All requested information shall be presented to the Deputy County Attorney 24 hours prior to a Grand Jury or Preliminary Hearing:
- a. If the case goes to a Grand Jury/Preliminary Hearing, an **ADJC CRIMINAL INVESTIGATOR** shall present the case;
8. If the Deputy County Attorney refers the case back to ADJC for further investigation:
- a. The **INVESTIGATIONS SUPERVISOR** shall return the case to the original ADJC Criminal Investigator, when possible;
 - b. The **ADJC INVESTIGATOR** shall obtain the requested information as soon as possible.
9. **ADJC Criminal Special Investigators Training.**
- a. **ADJC SPECIAL INVESTIGATORS** shall participate in continuing training regarding the investigation of the neglect, physical, and sexual abuse of children which shall include, but not be limited to an 8-hour and 40-hour Forensic Interview School;
 - b. **ADJC CRIMINAL SPECIAL INVESTIGATORS** responsible for continuing an investigation beyond first responders of child abuse/neglect shall receive the following or equivalent training:
 - i. Child physical abuse investigations and medical aspects;
 - ii. The investigation of sexual crimes against children;
 - iii. Forensic Interviewing – the basic 8-hour course.
 - c. **ADJC CRIMINAL SPECIAL INVESTIGATORS**, tasked with conducting an interview of a child for the purpose of obtaining evidence/statements for use in judicial hearings/trials, should have the following training and have met the standards required:
 - i. A 40-hour training in advanced forensic interviewing; and
 - ii. The Children's Justice Task Force Advanced Forensic Interview training; or
 - iii. Any equivalent courses that adhere to the same standards.

Signature Date

7-7-08

Approved by Process Owner

John Dempsey, Inspections & Investigations Chief
Administrator

Effective Date

7/21/08

Approved by

Michael D. Branham, Director